

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

FILED
IN CLERK'S OFFICE

2006 APR 24 P 12:01

CIVIL ACTION NO. 05-30022-KPN
U.S. DISTRICT COURT
DISTRICT OF MASS.

ALL STATES ASPHALT, INC. AND)
NEW ENGLAND EMULSIONS CORP.,)
Plaintiffs,)
)
v.)
)
FIREMAN'S FUND INSURANCE COMPANY,)
Defendant.)

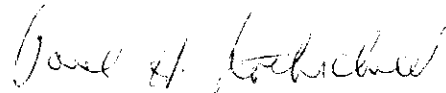
STIPULATION OF DISMISSAL

Now come the Plaintiffs, All States Asphalt, Inc. and New England Emulsions Corp. and the Defendant, Fireman's Fund Insurance Company, in the above-captioned matter, through undersigned counsel, and hereby stipulate that this matter be dismissed with prejudice and without costs.

Respectfully submitted,

The Plaintiffs,
All States Asphalt, Inc. and
New England Emulsions Corp,


By their attorneys,



Paul H. Rothschild, BBO# 431100
Bacon & Wilson P.C.
33 State Street
Springfield, MA 01103-2003
(413) 781-0560

Dated: 4/14/06

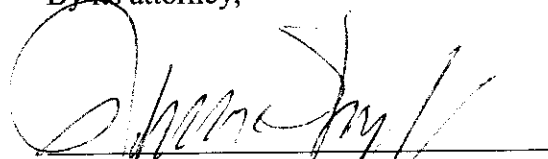
Dated: 4/21/06

Irving D. Labovitz 
Irving D. Labovitz, BBO# 28230
325 Amherst Road
Sunderland, MA 01375
(413) 478-3450

The Defendant,
Fireman's Fund Insurance Company,

By its attorney,

Dated: 4/18/06


Robert W. Harrington, BBO #223080
Law Offices of Robert W. Harrington
One Washington Mall
Boston, Massachusetts 02108
(617) 248-0800